



HAYWOOD TRIAL PLANS

Orchard to be on Stand a Week.

JURY BY NEXT MONDAY

Opening Statement Will be Made on Monday Afternoon or Tuesday Morning.

EIGHT CHALLENGES LEFT

Great Battle Will Come With Introduction of Orchard Into Court—Defense Will Fight Every Important Stage of His Testimony.

BOISE, May 21.—It is predicted today that the first witness in the Steunenberg case will take the stand one week hence. There are still eight unexpended peremptory challenges, there is an additional vacancy created by the illness of Juror Orrie Cole and under the ruling of Judge Wood, the entire jury is still open to further examination.

The session scheduled for Thursday afternoon, already a short one, will be further shortened by the time necessary to hear the excuses of the special veniremen directly they are assembled in court and some doubt is expressed of a completion of the jury by the adjournment on Saturday afternoon. Those who reduce the proposition to a mathematical calculation based on the expense of the trial to date, predict the jury will be finally sworn in some time on Monday next, that the opening statement will be made either on Monday afternoon or Tuesday morning, and the first real testimony be taken on Tuesday.

It is not yet decided whether Hawley or Borah will make the opening statement for the prosecution. It is said that they have not considered the question, but would take it up later in the week. The prosecution continues to file the names of the witnesses to be used in all the four cases pending, and they number nearly 200. Less than one-third will be called in the Haywood case. Harry Orchard, the principal witness for the state, will probably be on the stand a full week. His examination is expected to cover three to four days and his cross-examination nearly as long. It is believed that he will be called about one week after the jury is sworn. The great battle of the trial will come with the introduction of Orchard in court. It is expected there will be a fight against every important stage of his testimony and that he will be submitted to the strongest cross-examination that the combined ingenuity and cleverness of the defense can exercise. Attorney Richardson will conduct the cross-examination of Orchard.

BROOKLYN HANDICAP.

Won by Jockey Miller on Superman by a Length.

NEW YORK, May 21.—Through lines of cheering thousands Superman, the three-year-old son of Commando, carrying the Keane colors and ridden by Jockey Miller, flashed under the wire, winner of the Brooklyn handicap this afternoon over a course fetlock deep in mud, at Gravesend. Twenty-five thousand persons saw the mud splashed Keane horse held back until the stretch and then sent out in front to win in a decisive manner. Beacon Light was second, a length behind Superman and Nealon was third. Superman covered the course of a mile and a quarter in 2:09. The purse was \$20,000.

SUPPORTS FORAKER.

Ohio Editor Mildly Scores The Booms Foraker. SANDUSKY, May 21.—The editor of the Sandusky Standard, a newspaper published by I. Mack, a well known publisher of this city, Mack, while disclaiming authority to speak for anyone except himself said he was confident that the senior senator from Ohio would be returned to his seat without difficulty when the time arrived for the choosing of his successor. He asserted also that much of the criticism recently directed against Senator Foraker in certain parts of the state is unjust and unreasonable. Eulogizing Foraker as one of the ablest men if not the ablest in the senate today, Mack says, Taft, while having a delightful personality has never done anything for the Republican party of Ohio, has never been even a political factor and that, as he understands it, Taft has never claimed or tried to be a political person. As a party leader, Mack things he is not to be compared with Foraker.

CUBAN'S BUY YACHT.

NEW YORK, May 21.—The steam yacht Pantocost, one of the finest vessels in the New York Yacht Club fleet, has been sold to the government, the price paid being about \$270,000. The Pantocost was owned by Albert S. Bigelow of Boston. The general impression is that the Pantocost will be converted into a coast survey vessel. Later she may be converted into a gunboat.

THE GOULD CASE

Wife Charges Cruel and Inhuman Treatment.

CONSPIRACY IS ALLEGED

Mrs. Gould Asks Court To Grant Her \$50,000 a Year Alimony—Case Will Likely Be Tried In Open Court.

NEW YORK, May 21.—Developments of an interesting character are expected to follow the serving of the summons in the separation suit brought against Howard Gould by his wife, formerly Kathryn Clemmons, the actress. The bill of particulars, which has been drawn up, is a voluminous affair, and charges among other things, abandonment and cruel and inhuman treatment. Mrs. Gould, it is said, will also ask the court to grant her \$250,000 a year as alimony.

A sensational feature is the allegation of conspiracy in connection with the case. This feature has already been investigated by Police Commissioner Bingham, as some members of the detective bureau are said to be involved. District Attorney Jerome has taken cognizance of the rumors in this regard and will call on Commissioner Bingham today to learn whether the case as it stands at present, warrants an inquiry by his office.

No papers brought in the suit have been filed yet in the county clerk's office, as issue has not been joined. But counsel for the complainant have announced that the summons and complaint were served on Delancy Nicoll, as counsel for Mr. Gould, and this is enough under the laws of the state to bring the suit within the class of "Cases pending."

The suit will likely be tried in open court, as it is not usual to send separations suits to a referee.

Howard Gould, third son of Jay Gould and Viola Kathryn Clemmons were married on October 13, 1899, at the Holland House, by the Rev. Dr. Wilton M. Smith.

Miss Clemmons was born in Illinois. Her real name was Viola Dayan, but in San Francisco she appeared in a musical comedy as Kathryn Clemmons.

Howard Gould is 33 years old and his wife is a year or so younger. They have not lived together since July, last, and rumors of separation suits, divorce suits, and other suits have been rife ever since. He has been stopping at the Waldorf Astoria of late and has refused to discuss his differences with his wife.

SHOOTING IN ODESSA

Funeral of Three Police Officials.

JEWS AGAIN ATTACKED

Jews and Students Barbarously Beaten By Cossacks Who Fired Into Houses.

POPULATION TERROR STRICKEN

Governor In Personal Control of Patrols Owing to Unreliability of Police—Trouble Started By a Shot Being Fired at Funeral Procession.

ODESSA, May 20.—The Black Hundreds took advantage of the funeral today of the three police officials assassinated at the Central Bureau yesterday to renew the attacks on the Jews. The whole Jewish population is terror stricken, all of the stores are closed and the streets almost deserted.

Jews and students were barbarously attacked and beaten and Jewish houses fired into. One pretext for this shooting was that shots had been fired from the houses in question, the well known provocative tactics indulged in at Bialystok and Siedlice, thus being repeated. General Kaulbars, however, under the spur of private instructions from St. Petersburg had adopted measures to prevent the disorders growing into a general massacre and consequently another anti-Jewish attack has been for the time averted.

Owing to the unreliability of the police, the governor posted himself and was in personal control of the patrols at the street corners. The signal for the beginning of trouble today was the firing of a shot at the funeral procession from a window. This wounded a cossack slightly, whereupon the man's companions fired three volleys into the building whence the shot came. Kaulbars ordered the building surrounded and searched. This was done and thirty persons were arrested, including the man who fired the shot. He is a member of the Union of True Russians.

ASKED TO RESIGN.

Burnham of Mutual Life Indicted For Fraud And Forgery.

NEW YORK, May 21.—The Herald says that Fredrick A. Burnham, president of the Mutual Life Reserve Insurance Company, has been asked by the board of directors of the company to present his resignation not later than Wednesday of this week. In the event of his failure to resign steps will be taken to declare his office vacant, and also to elect Archibald C. Haynes to his place. Action looking to Mr. Burnham's resignation, is said to be a result of his indictment and the conviction of his brother George E. Burnham of fraud and forgery in connection with the company. The directors said his continuance at the head of the company was an injury to its business and an endorsement of the methods which led to the indictments.

AERO RACES.

CHICAGO, May 21.—Airship races under the auspices of the Aero Club of Chicago, will be held within two weeks on the grounds at 64th Street and South Park Avenue. This was decided on at a meeting of the club held last night. According to the club officers the success of its plans are assured through the promise of financial aid from several sources.

BROWNSVILLE TESTIMONY.

Mexican Editor Swore That Men Were Negro Soldiers.

WASHINGTON, May 21.—Pauline D. Preciado, editor of a Mexican newspaper in Brownsville, and an eye witness to the shooting of Frank Natous, the only man killed in the affray, testified today before the senate committee on military affairs. When the shooting began Preciado was sitting in the court at the rear of Tillman's Saloon. According to his story, a saloonkeeper named Crixell, who conducts a place across the street from Tillman's rushed in, excitedly crying "The negroes are out." The doors of Tillman's place were barred and Natous ran across the court to bar the gates leading to the alley. The negroes got there before Natous. They fired several shots and Natous threw up his hands exclaiming, "Oh, my God," and fell dead. One bullet grazed Preciado's hand and another passed through his coat. The men went on down the alley shooting as they went. Preciado swore positively that the men were negro soldiers.

NO MORE PARADES.

CHICAGO, May 21.—Chief of Police Shippy yesterday announced that no more parades in which red flags or banners are displayed will be permitted in Chicago. The Chief's attitude is due to the abundant show of red color in the Moyer-Haywood "Sympathy parade last Sunday."

YELLOW JOURNALS

Prize Fights and Open Saloons Are a

CURSE TO CIVILIZATION

Governor Buchtel Characterizes the Three As a Curse—The Governor's Power Limited By Adoption of New Charter.

DENVER, May 21.—Henry A. Buchtel, answering articles in the public press and personal letters addressed to him, yesterday issued an address to the public explaining why he is powerless to act in preventing the prizefight scheduled to take place here tonight between Harry Lewis and Jimmy Gardner. The governor said that the adoption of a new charter for Denver which took from the governor the appointment of the fire and police board deprived the chief executive of the power to coerce the city officials and unless they are willing to act of their own accord he cannot compel them to. Incidentally the governor names three conditions as curses to our civilization, namely, the open saloon, the prizefight, and the so-called yellow newspaper.

SPANISH HEIR CRIED.

During Christening Ceremonies, Considered a Good Omen.

MADRID, May 21.—From a source regarded as unquestionable it is learned that the necessity for abandoning her intention to nurse her child caused the Queen of Spain her first moment of grief since her marriage. She resisted as long as possible, but finally yielded when she was told that the realization of her wishes would risk the health of the prince as well as her own. She is now consoled by the knowledge that she established a record for queens of Spain, having nursed her first born ten days instead of having a nurse engaged beforehand, as has always been done. The nurse is described as a splendid brunette of 23 years.

Spaniards are delighted because the baby cried during his christening. According to ancient Spanish superstition this presages long life.

GARDNER-LEWIS FIGHT.

DENVER, May 21.—Jimmy Gardner won the decision from Harry Lewis in the tenth round tonight.

NEGRO WOMAN LYNCHED

Her Body Riddled With Bullets.

ANGRY MOB OF WHITES

Was Told to Run and Then Shot—Son Shot Where He Stood.

NEGROES KILL WHITE MAN

One White and Two Negroes Dead and Seven Injured Is Result of Attempt to Capture Negro Who Assaulted White Woman.

CLAXTON, Ga., May 21.—Two negroes were lynched, one white man and two negroes dead and seven other persons injured is the result of an attempt to capture a negro, who last night attempted a criminal assault upon Mrs. Laura Moore, a widow, living near Manassas. The dead are:

JOHN HARE, white, farmer.

SAM PADGETT, negro and daughter, aged 10 years.

Lynched: Padgett's wife and son.

Injured:

W. J. PIERSON, shot in the stomach and arm, probably fatally.

JAMES U. DANIEL, shot in the eye; may die.

DR. J. L. KENNEDY, serious.

FLEM PADGETT, colored.

A son of Sam Padgett, serious, and his two daughters.

Fifteen persons early today surrounded the home of Sam Padgett whom they suspected of harboring a negro who had criminally assaulted Mrs. Moore and demanded to be allowed to search the house. Permission was given, but when within 30 feet of the house, those inside the building opened fire, killing Hare and seriously injuring Pierson, Daniel and Dr. Kennedy. The posse then returned the fire, killing Sam Padgett and the daughter, aged 10 years, and wounding the two other girls, aged 6 and 13, and two of his sons, aged 20 and 22. The posse then retired for reinforcements.

The news spread rapidly and by 10 o'clock 500 armed men were on the scene and started in pursuit of the negroes who had escaped. One of them was captured and taken before Mrs. Moore but she failed to identify him. The negro, however, was identified as the man who shot Hare and he was started for Reidville jail together with Padgett's wife and son.

On the way the officers were overtaken by about 75 men who took the prisoners from them. The woman was told to run and she did so and was riddled with bullets, her son being shot to pieces where he stood. The negro who assaulted Mrs. Moore has not been captured but it is reported that he is surrounded and in all probability, he has been killed.

VATICAN FINANCIAL REFORM.

Expenditures Limited To Income From Landed Property and Money Invested

ROME, May 21.—It is stated on good authority that the Vatican's scheme of financial reform provides that expenditures be limited to income derived from landed property and invested capital. Hereafter the Vatican will not rely upon the contributions to the Peters Pence Fund. The application of the reform is imminent. It is hoped that it will increase the independence of the holy see and prevent attempts at financial pressure.

SPECIAL GRAND JURY.

President of Metropolitan Life Charged With Forgery.

NEW YORK, May 21.—The special grand jury which has been investigating the Metropolitan Life Insurance Company, today returned ten indictments against the company's president, John R. Hegeman. Seven indictments were on a charge of forgery in the third degree while the other three charge were perjury. All are based on what have become to be known as "Year-end transactions."

WRECK SURVIVOR.

Four Year Old Boy One of Two Persons Saved From G. B. Lockhart.

NEW YORK, May 21.—Douglas Faulkner, four years old, arrived here yesterday on the steamship Prinz Frederick Hendrik from Curacao. He was one of two survivors of the wrecked bark G. B. Lockhart and was brought here to be given to his grandmother.

The brig G. B. Lockhart last summer was sailing for Curacao, in charge of Captain Faulkner, who had his wife and son on board. The brig struck a reef about 30 miles from Curacao and all hands had to take to the boats and try to get ashore. A big surf was running and the boat upset. The mate, with the boy, managed to get through the breakers to the shore.

THE SCHMITZ TRIAL

Application for Substitution of Trial Judge Denied.

A NEW VENIRE SUMMONED

Placed In Hands of Sheriff May Be Taken Into Custody Later In Trial—Impanelling of Jury Tomorrow.

SAN FRANCISCO, May 21.—Unless the present intentions of the prosecution are changed, an elisor will not have part in the selection of the jury which will try Mayor Schmitz on the charges of extortion. This determination was expressed by Judge Dunne today when he discharged from service all of the talesmen remaining over from the late Ruef venires and gave into the hands of Sheriff O'Neill the summoning of a new venire of 50, returnable tomorrow morning. Whether it is the intention of the prosecution to order Schmitz into custody during the trial is not known. Heney has stated there is no such present intention, but it is gathered from interviews with various members of the prosecution that this may be done a little later. Dunne today denied the application of the defense for a substitution of trial judge, which application was based on an affidavit charging that Dunne is biased and that Spreckels and others who are the financial guarantors of the bribery graft investigation are carrying out a conspiracy to dethrone the present administration in order to themselves secure valuable railway and water franchises. It is expected that the impanelling of the jury will begin tomorrow.

YESTERDAY'S BASEBALL SCORES.

Coast League.

At San Francisco—Oakland 5, San Francisco 11.

Northwest League.

At Vancouver—Seattle 7, Vancouver 3. At Tacoma—Tacoma 1, Aberdeen 3.

CONDEMN ROOSEVELT.

BOSTON, May 21.—A resolution condemning President Roosevelt and Secretary Taft for the presidency and supporting Senator Foraker was passed today at a mass meeting of the colored people at Faneuil Hall.

DICK HYLAND WON.

ODGEN, May 21.—Dick Hyland tonight knocked out Billy Finucane in the third round.